

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TIFFENII S. MUMPHREY

Plaintiff

vs.

TEXAS COLLEGE

Defendant

§
§
§
§
§
§
§
§
§
§

CASE NO. 2:05-CV-413

MEMORANDUM OPINION AND ORDER

Before the Court is Plaintiff Tiffenii S. Mumphrey's ("Mumphrey") Motion to Alter or Amend Judgment (Docket No. 112). After considering the parties' arguments, the Court **DENIES** Plaintiff's motion.

The Court may grant a motion to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59(e) when there has been an intervening change in the controlling law, newly discovered evidence, or to correct a clear error or prevent manifest injustice. *Schiller v. Physicians Res. Group, Inc.*, 342 F.3d 563, 567 (5th Cir. 2003). Mumphrey does not suggest the intervening law has changed or there is newly discovered evidence.

The Court considered all of the evidence and arguments discussed in Mumphrey's current motion when granting the College's motion for judgment as a matter of law. The Court will not revisit these arguments or its rationale for granting the motion for judgment as a matter of law except to say that the facts and inferences in this case pointed so strongly in favor of the College that a rational jury could not reach a contrary verdict.

Mumphrey's arguments have not persuaded the Court that it committed a clear error in granting judgment as a matter of law for the College or that the judgment should be altered to prevent manifest injustice to Mumphrey. Accordingly, Mumphrey's motion is **DENIED**.

So ORDERED and SIGNED this 4th day of May, 2007.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE